IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12484 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

MANDAVRAY PETROLEUM

Versus

KHUMANSINH GAJUBA PARMAR

Appearance:

1. Special Civil Application No. 12484 of 2000

MR TUSHAR MEHTA for Petitioner No. 1

MS SEJAL K MANDAVIAfor Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 03/10/2001

ORAL JUDGEMENT

#. Rule. Ms.Mandavia waives service of rule for the respondent. With the consent of the parties, the matter is taken up for final hearing today.

#. The petitioner has challenged the award passed by the Labour Court in Reference (LCS) No.161 of 1993. By the aforesaid award, the respondent is ordered to be reinstated in service with 75% back-wages.

#. Today, both the learned advocates have fairly stated that they have amicably settled the dispute and the concerned workman has shown willingness to get lumpsum amount in lieu of reinstatement as well as in lieu of 75% back-wages.

#. In view of the aforesaid agreement between the parties, it is directed that the petitioner - employer will pay, in all Rs.30,000/- (Rupees Thirty Thousand Only) to the respondent workman within a period of one month from today. The said amount is to be paid in lieu of reinstatement as well in lieu of 75% back-wages granted by the Labour Court in the aforesaid reference. In short, in compliance of the said award, the management will pay in all Rs.30,000/- to the respondent workman within the aforesaid period. On receiving the said amount, the respondent workman will not claim anything against the petitioner in any manner. The amount as stated above is to be paid within a period of one month from today. The award of the Labour Court is accordingly substituted and the concerned workman will be entitled to receive in all Rs.30,000/-. The petition is accordingly allowed. Rule is made absolute to the aforesaid extent with no order as to costs.

(P.B.Majmudar,J)
(pathan)